

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

Case No. 1:10-cv-23235/HOEVELER

DAVID KARDONICK, JOHN DAVID, and
MICHAEL CLEMINS, individually and on
behalf of all others similarly situated and the
general public,

Plaintiff,

v.

JPMORGAN CHASE & CO. and CHASE
BANK USA, N.A.

Defendants.

**INTERVENORS' UNOPPOSED MOTION TO FILE AN OMNIBUS REPLY BRIEF IN
EXCESS OF TEN PAGES AND A THREE DAY EXTENSION OF TIME IN RESPONSE TO
THE OPPOSITION TO THE MOTION TO INTERVENE**

Pursuant to Local Rule 7.1(c)(2), Intervenors hereby request permission to (a) file a single omnibus legal reply brief of up to 15 pages in length in response to Plaintiff Kardonick's and Defendants' opposition to the motion to intervene and (b) a three-day extension to reply to Plaintiff's brief. In support of this motion, Intervenors hereby state as follows:

1. On March 9, 2011, Intervenors filed a motion to intervene.
2. On March 28, 2011, Plaintiff Kardonick requested and received permission to file an opposition to the motion to intervene in excess of 20 pages in order to address the wide range of legal and factual issues raised by the motion to intervene. Defendants also requested and received permission to file an opposition to the Motion to Intervene exceeding 20 pages.

3. Plaintiff Kardonick filed his response on March 28, 2011, and Defendant Chase filed its response on March 31, 2011.

4. Intervenors' reply to Defendants' opposition to the Motion to Intervene is currently due on April 11, 2011, while the reply to Plaintiff Kardonick's opposition is currently due today, April 7, 2011.

5. Intervenors propose addressing both opposition briefs in one omnibus reply in order to promote judicial efficiency.

6. Intervenors therefore respectfully request a three-day extension of time to respond to Kardonick's brief, which would make the omnibus brief due on April 11, 2011, the same day the reply to Defendants' brief is currently due.

7. Additionally, the Motion to Intervene and responses raise numerous legal and factual issues. Both Plaintiff Kardonick and Defendants filed opposition briefs in excess of 20 pages. In order to address the arguments made by Plaintiff Kardonick and Defendants in their combined 49 pages of opposition papers, Intervenors respectfully request the Court's permission to file a reply of no more than 15 pages.

8. Counsel for Plaintiff Kardonick and Defendants do not oppose this motion.

CERTIFICATION PURSUANT TO LOCAL RULE 7.1

The undersigned counsel certifies that counsel for Plaintiff Kardonick and counsel for Defendants do not oppose this motion.

Dated: April 7, 2011

Respectfully Submitted,

Berman DeValerio

s/ Manuel J. Dominguez

Manuel J. Dominguez (FBN 0054798)

Berman DeValerio

3507 Kyoto Gardens Drive, Ste 200

Palm Beach Gardens, FL 33410

Tel: (561) 835-9400

Fax: (561) 835-0322

jdominguez@bermandevalerio.com

Kevin Landau

Brett Cebulash

Taus, Cebulash & Landau, LLP

80 Maiden Lane, Suite 1204

New York, NY 10038

Tel: (212) 931-0704

bcebulash@tcllaw.com

klandau@tcllaw.com

Marc L. Godino

Glancy Binkow & Goldberg, LLP

1801 Avenue of the Stars, Suite 311

Los Angeles, CA 90025

Tel: (310) 201-9150

mgodino@glancylaw.com

COUNSEL FOR INTERVENORS

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of April, 2011, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or pro se parties in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

s/ Manuel J. Dominguez
Manuel J. Dominguez (FBN 0054798)
Berman DeValerio